

Minutes

CHARLOTTE COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD Administration Center, County Commission Meeting Room #119 18500 Murdock Circle, Port Charlotte, Florida 33948-1094

September 3, 2020 at 6 pm

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs, and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@charlottecountyfl.gov.

A. CALL TO ORDER

Chairman Charles Hackbarth calls meeting to order at 6:00PM

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

MEMBERS PRESENT:

Charles Hackbarth
Michael Melton
Robert Overcash
Christopher Knight
Michael Ferrara
Louis Green

NOT PRESENT:

Edward Toth
Stephen Gardnier

Staff Present:

Erin-Mullen-Travis, Licensing Manager
Wendy Pacheco, Certified Contractor Licensing Officer
Melissa Sutton-Estrada, Certified Contractor Licensing Officer
Ryan Maher, Assistant County Attorney
Ben Bailey- Building Official
Daryl Dillow, Deputy Building Official
Kristin Binns, Administrative Assistant
Robert H Berntsson, Board Attorney

D. OPENING STATEMENT

E. NEXT MEETING DATE

October 1, 2020 at 6:00 pm

F. APPROVAL OF MINUTES

Robert Overcash made motion to approve the minutes from August 6, 2020 meeting, Christopher Knight seconded the motion, all in favor.

G. SWEARING IN OF ALL THOSE GIVING TESTIMONY

Kristin Binns administered oath to those who gave testimony

H. PUBLIC INPUT-AGENDA ITEMS ONLY

I. AGENDA CHANGES

Ryan Maher announced agenda changes

J. EXAMINATION

NONE

K. LICENSE REVIEW

1. GLYNN ADDISON

Wendy Pacheco

Mr Addison is present to request to qualify a second entity for Registered Residential license No. RR0013584 from the Board

Motion: Michael Melton made motion to approve qualifying a 2nd entity for Mr Addison, motion was seconded by Robert Overcash. Motion was passed unanimously

L. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES

NONE

M. CONTESTING CITATIONS

N. REINSTATEMENT

O. OLD BUSINESS

P. DISCIPLINE CASES

- 1. JAMES K HOWELL**
Newsouth Window Solutions, LLC
f/k/a Stankek Vinyl Windows Florida Corp
Certified General Contractor
License No. CGC1516614
CIL-20-00449

Mr Howell was not present to provide testimony to the Board.

The Respondent was charged with the following:

CHARGE 1: Florida Building Codes 110.3 and 110.5, adopted by Charlotte County Code 3-2-23: The building official upon notification from the permit holder or his or her agent, shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection. Additionally, it shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code **(1 count)**.

CHARGE 2: Charlotte County Code 3-2-47(b)(4) - Willful or deliberate disregard and violation of any lawful order of the board, any provisions of Charlotte County Code, chapter 3 2, chapter 3 9, any provisions of any code adopted pursuant to this chapter, or any state law regulating the construction industry, including Chapter 489 and Part I of Chapter 455 **(1 count)**.

CHARGE 3: Charlotte County Code 3 2 47(b)(20) Failing to obtain inspections including but not limited to final inspections **(1 count)**.

Upon consideration, it is **ORDERED**:

That James K. Howell's permitting privileges and right to work as a contractor in Charlotte County be **revoked**.

It is further ordered that a copy of this case along with a copy the Board's order be forwarded to the Department of Business and Professional Regulation and Florida Construction Industry Licensing Board (FCILB) with the recommendation the FCILB order Mr. Howell to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if Mr. Howell fails to comply, the FCILB order the State Certified General Contractor's License of Mr. Howell be revoked by the Florida Construction Industry Licensing Board.

MOTION: Robert Overcash makes motion to approve staff's recommendation. Michael Melton seconds motion. All in favor.

2. DAVID A SLENTZ
Slentz Electric Inc
Certified Electrical Contractor
License No. EC13002687
CIL-20-00426

The case summary and staff's recommendation was read into the record by, Assistant County Attorney Ryan Maher. David Slentz was not present to provide testimony to the Board.

The Respondent was charged with the following:

CHARGE 1: Florida Building Codes 110.3 and 110.5, adopted by Charlotte County Code 3-2-23: The building official upon notification from the permit holder or his or her agent, shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection. Additionally, it shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code **(1 count)**.

CHARGE 2: Charlotte County Code 3-2-47 (b)(4) - Willful or deliberate disregard and violation of any lawful order of the board, any provisions of Charlotte County Code, chapter 3 2, chapter 3 9, any provisions of any code adopted pursuant to this chapter, or any state law regulating the construction industry, including Chapter 489 and Part I of Chapter 455 **(1 count)**.

CHARGE 3: Charlotte County Code 3-2-47(b)(20) - Failing to obtain inspections including but not limited to final inspections **(1 count)**.

Upon consideration, it is **ORDERED:**

1. The allegations of fact set forth in the Notice of Violation are approved and adopted and incorporated herein by reference as findings of fact.
2. The conclusions of law alleged and set forth in the Notice of Violation are approved and adopted and incorporated herein.

UPON THESE FINDINGS, it is FURTHER ORDERED:

That David A. Slentz's permitting privileges and right to work as a contractor in Charlotte County be **revoked**.

Charlotte County also orders that a copy of this case along with a copy the Board's order be forwarded to the Department of Business and Professional Regulation and Florida Construction Industry Licensing Board with the recommendation that both State Electric Contractor Licenses of Mr. Slentz be disciplined up to and including suspension or revocation of Mr. Fosters Contractor licenses by the Florida Construction Industry Licensing Board until such time as the permits as shown in the attachment to the Notice of Violation, are obtained, renewed and issued final inspections.

MOTION: Michael Melton makes motion to approve staff's recommendation. Michael Ferriera seconds motion. All in favor.

3. SCOTT J BERNIER
Signstine Signs Inc
Certified Specialty Contractor,
License No. CES12000731,
CIL-20-00408

The case summary and staff's recommendation was read into the record by, Assistant County Attorney Ryan Maher. Scott J Bernier was not present to provide testimony to the Board.

The Respondent was charged with the following:

CHARGE 1: Florida Building Codes 110.3 and 110.5, adopted by Charlotte County Code 3-2-23: The building official upon notification from the permit holder or his or her agent, shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection. Additionally, it shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code **(1 count)**.

CHARGE 2: Charlotte County Code 3-2-47 (b)(4) - Willful or deliberate disregard and violation of any lawful order of the board, any provisions of Charlotte County Code, chapter 3 2, chapter 3 9, any provisions of any code adopted pursuant to this chapter, or any state law regulating the construction industry, including Chapter 489and Part I of Chapter 455 **(1 count)**.

CHARGE 3: Charlotte County Code 3-2-47(b)(20) - Failing to obtain inspections including but not limited to final inspections **(1 count)**.

Upon consideration, it is **ORDERED**:

1. The allegations of fact set forth in the Notice of Violation are approved and adopted and incorporated herein by reference as findings of fact.
2. The conclusions of law alleged and set forth in the Notice of Violation are approved and adopted and incorporated herein.

UPON THESE FINDINGS, it is **FURTHER ORDERED**:

That Scott J. Bernier's permitting privileges and right to work as a contractor in Charlotte County be **revoked**.

It is further ordered that a copy of this case along with a copy the Board's order be forwarded to the Department of Business and Professional Regulation and Florida Construction Industry Licensing Board (FCILB) with the recommendation the FCILB order Mr. Bernier to renew the permits in a timely manner and obtain final inspections as required by the Florida Building Code. It is also recommended if Mr. Bernier fails to comply, the FCILB order the State Certified Specialty Contractor's License of Mr. Bernier be revoked by the Florida Construction Industry Licensing Board.

MOTION: Robert Overcash makes motion to approve staff's recommendation. Christopher Knight seconds motion. All in favor.

R. REPORT FROM THE LICENSING MANAGER

S. REPORT FROM THE BUILDING OFFICIAL

Ben Bailey reports the Building Department is continuing to be very busy over 200 SFR permits were issued last month.

T. REPORT FROM THE ASSISTANT COUNTY ATTORNEY

U. BOARD ATTORNEY COMMENTS

NONE

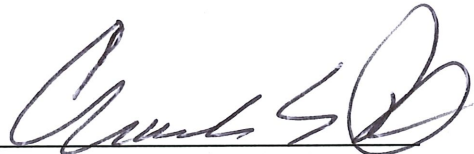
V. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

NONE

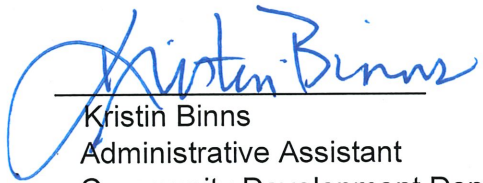
W. ADJOURNMENT

Michael Melton made the motion to adjourn and Robert Overcash seconded the motion and it was approved unanimously at 6:23pm.

CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
MINUTES OF SEPTEMBER 3, 2020
READ AND APPROVED ON OCTOBER 1, 2020


Charles Hackbarth, Chairman

ATTEST:


Kristin Binns
Administrative Assistant
Community Development Department
Contractor Licensing Division

Complete files of all cases, as well as taped recordings of all proceedings of this meeting, are kept in the Community Development Department and are available to the public.

Any person who decides to appeal a decision of this Board will need a record of the proceedings pertaining thereto, and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.